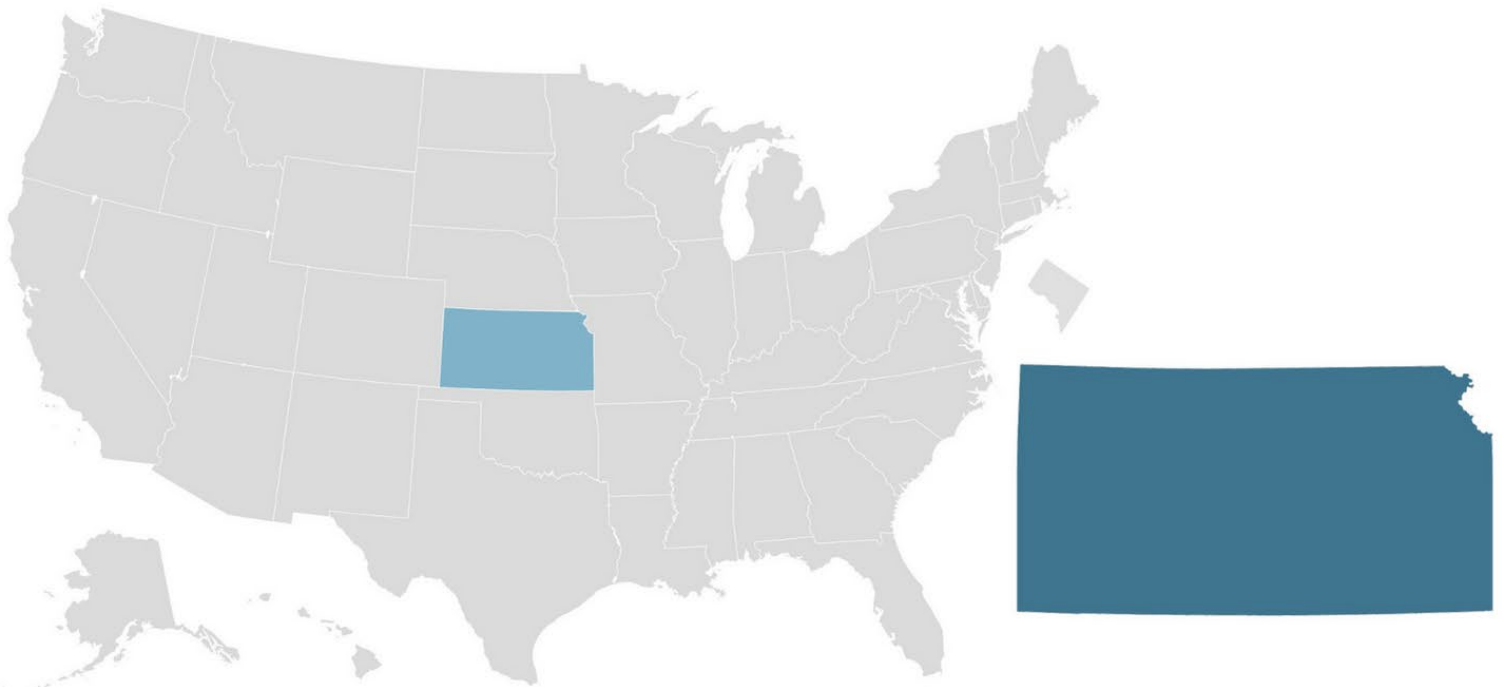




**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

**Kansas**

# 2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), chaired by Miriam Delphin-Rittmon, Ph.D., the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

**Time Period Covered by this *State Report*:** This *State Report* primarily includes data from calendar year 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, were drawn from the most recent 12-month period in which the states maintained the data.

**Source of Data:** For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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## Kansas

**State Population: 2,913,805**

**Population Ages 12–20: 355,000**

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	74,000 (20.7%)
Past-Month Binge Alcohol Use – Number (Percentage)	50,000 (14.1%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	4,000 (3.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,000 (1.5%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	21,000 (18.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	16,000 (13.8%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	49,000 (41.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	32,000 (27.4%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	1,211,000 (59.7%)
Past-Month Binge Alcohol Use – (Percentage)	589,000 (29.0%)
Average Age of Initiation	
Average Age of Initiation	15.9
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 <sup>1</sup>	
Alcohol-Attributable Deaths (under 21)	36
Years of Potential Life Lost (under 21)	2,093
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>2</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	10
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	19%

<sup>1</sup> The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

<sup>2</sup> Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number; however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.



## Behavioral Health System Overview<sup>1</sup>

The Kansas Department of Health and Environment (KDHE) is the Medicaid Single State Authority for the State. KDHE and the Kansas Department for Aging and Disability Services (KDADS) administer KanCare within the state of Kansas. KanCare is the managed care program through which the State administers Medicaid and seven home and community-based 1915 (c) waiver programs: Autism, Frail Elderly, Intellectual/Developmentally Disabled (I/DD), Physical Disability, Serious Emotional Disturbance, Technology Assisted, and Brain Injury. KDHE maintains financial management and contract oversight of the KanCare program while KDADS administers the Medicaid waiver programs for disability services, mental health and substance use disorder, as well as, operates the state hospitals and institutions. Kansas contracts with three health plans (MCOs): Aetna Better Health of Kansas, Sunflower Health Plan (Centene), and United Healthcare Community Plan for Medicaid managed care services. Mental health and substance use services are carved into KanCare to coordinate physical and behavioral health care for all people enrolled in KanCare. The current KanCare 1115 waiver demonstration program took effect on January 1, 2019.

KDADS was reorganized into five commissions: Financial and Information Services Commission, Aging and Disability Community Services and Programs Commission, State Hospital Commission, the Survey, Certification and Credentialing (SCC) Commission, and the Behavioral Health Services (BHS) Commission.

The Commissioner of the BHS is the Single State Authority (SSA) for SAPT (Substance Abuse Prevention and Treatment) and the State Mental Health Authority (SMHA). The Behavioral Health Services Commission partners with care providers, communities and community mental health centers to help Kansans with behavioral health, substance use disorder and other addictions services. KDADS is responsible by statute and holds the authority and responsibility for coordinating mental health care and substance abuse/addiction services across the state. The Commission works in close coordination with the Governor's Behavioral Health Services Planning Council.

### Prevention System

With intentional effort to move toward a more integrated and community-focused approach to behavioral health, in 2016, KDADS started the Kansas Prevention Collaborative (KPC). Following SMHSA's lead KDADS provides funding directly to community coalitions to plan and implement prevention strategies locally. Oversight of the Kansas Prevention Collaborative is provided by KDADS Prevention Manager and Prevention Specialists. In addition to guiding the work of the KPC contractors and funded KPCCI communities, the role of KDADS is grant administration, fiscal accountability, and monitoring.

Four Kansas contractors provide state and local services and supports including community training and technical assistance, data collection, analysis and evaluation, community documentation, and communication and connection. Services provided by the Collaborative

<sup>1</sup> Extracted from fiscal year (FY) 2022/2023 – (Kansas) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

partners are designed to support coalition capacity development, increase engagement and involvement, and expand opportunities including fiscal and other resources to communities across the state.

### **Substance Use Disorder Treatment Services**

The Kansas Department for Aging and Disability Services (KDADS) license behavioral health providers in Kansas. Licensing standards identify expectations and guidelines for the development and operation of substance use disorder (SUD) treatment programs licensed/certified by the State of Kansas. When new providers apply for a license and during regular site visits, KDADS staff verify compliance with these standards. The standards are rigorous and cover a range of areas, including but not limited to, client rights, confidentiality, client record review, incident reports, member accessibility, program environment and safety, assessment, treatment planning, updates and discharge planning/follow-up.

Kansas contracts with three Managed Care Organizations for Medicaid and an Administrative Services Organization (ASO) for Block Grant substance use disorder treatment services. KDADS monitors the Medicaid plans and the ASO that oversee, authorize and reimburse for SUD treatment services.

Beacon Health Options, formerly Value Options, oversees Substance Use Treatment Block Grant services. As the current Administrative Services Organization (ASO) for Kansas, 1) Statewide substance abuse services for individuals identified with a Substance Use Disorder who meet SABG treatment fund eligibility, 2) Problem Gambling treatment (funded through the Problem Gambling and other Addictions Grant Fund), 3) Treatment for Third and Subsequent DUI Clients (Funding by KDOC), 4) the Help Line for SUD and Problem Gambling (PG) Treatment services and 5) State Opioid Response (SOR II) grant treatment and recovery support funds.

### **Expenditures for Substance Abuse Prevention and Treatment**

All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by SAMHSA. Exhibit 1 shows the sources that Kansas used for expenditures on substance abuse prevention and treatment in 2021. As indicated, Medicaid funds and SABG funds account for the largest sources (36.53 percent and 30.48 percent, respectively).<sup>2</sup>

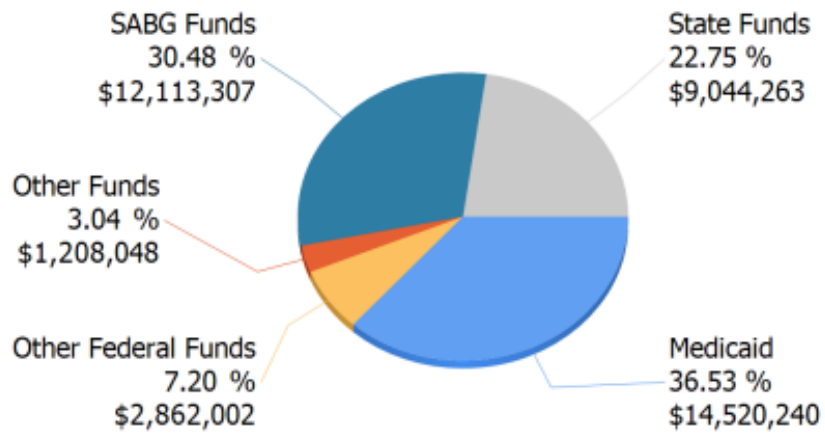
States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022-2023, Kansas designated reducing alcohol consumption among students in grades 6, 8, 10, and 12 as priority number three for use of SABG funds.<sup>3</sup>

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<sup>2</sup> WebBGAS State Profile, 2021 SABG and MHBG Reports – Kansas 2021.

<sup>3</sup> FY 2022/2023 – (Kansas) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

**Exhibit 1: Sources of Kansas' 2021 Expenditures for Substance Abuse Prevention and Treatment**



## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Kansas' performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

The following sections address these measures:

***State Laws and Policies:*** These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

***STOP Act State Survey Data:*** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking



## Underage Possession or Purchase of Alcohol

Kansas-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is possession allowed if parent or guardian is present or consents?</li> <li>• Is possession allowed if spouse is present or consents?</li> </ul>	No No
Is there an exception based on location?	No
Notes: Kansas has an exception permitting persons under 21 years of age to possess alcohol, but the exception only applies to cereal malt beverages (defined as any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but not including any such liquor which is more than 3.2 percent ABW).	

Kansas-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is consumption allowed if parent or guardian is present or consents?</li> <li>• Is consumption allowed if spouse is present or consents?</li> </ul>	No No
Is there an exception based on location?	No
Notes: Kansas has an exception permitting persons under 21 years of age to consume alcohol, but the exception applies only to cereal malt beverages (defined as any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but not including any such liquor which is more than 3.2 percent ABW).	

Kansas-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is internal possession allowed if parent or guardian is present or consents?</li> <li>• Is internal possession allowed if spouse is present or consents?</li> </ul>	No No
Is there an exception based on location?	No
Notes: Kansas has an exception permitting persons under 21 years of age to possess or consume alcohol, but the exception applies only to cereal malt beverages (defined as any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but not including any such liquor which is more than 3.2 percent ABW).	

Kansas-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Kansas-Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor’s driver’s license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Do state statutes or regulations mandate that state driver’s licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

### Underage Drinking and Driving

Kansas-Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes

What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Kansas-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	30

Kansas-Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	14
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	9:00 PM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes, no more than one passenger under 18 who is not an immediate family member.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

Notes: Kansas has a "restricted license" which allows unsupervised 15-year-olds to drive to and from school or work using the most direct route possible. They must have completed driver's education, held an instruction permit for 12 months, completed 25 hours of supervised driving with an additional 25 hours of driving prior to age 16, and obtained parental consent. They must not operate the vehicle with non-sibling minor passengers.

### Alcohol Availability

Kansas-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>Is furnishing allowed if the parent or guardian supplies the alcohol?</li> <li>Is furnishing allowed if the spouse supplies the alcohol?</li> </ul>	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
Notes: Kansas has an exception permitting the furnishing by a parent or legal guardian to a child or ward, but the exception only applies to cereal malt beverages (defined as any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but not including any liquor which is more than 3.2 percent ABW).	

Kansas-Responsible Beverage Service (RBS)	
Is there a state law pertaining to Beverage Service Training?	No
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
<ul style="list-style-type: none"> <li>Defense in dram shop liability lawsuits</li> <li>Discounts in dram shop liability insurance, license fees, or other</li> <li>Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons</li> <li>Protection against license revocation for sales to minors or sales to intoxicated persons</li> </ul>	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	N/A
Does the RBS law apply to new or existing licensees?	N/A

<b>Kansas-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	No

<b>Kansas-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes

<b>Kansas-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 200 feet.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	Beer, wine, and spirits
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 200 feet.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	Beer, wine, and spirits
Notes: A city may, by ordinance, waive restriction for licensed premises located within a core commercial district as defined by Kan. Stat. Ann. Â§ 12-17,122.	

<b>Kansas-Dram Shop Liability</b>	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A

Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	No

Kansas-Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

Kansas-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	Possession and consumption
Property type covered by the law?	Residential/outdoor/other
What level of knowledge by the host is required?	Recklessness (Host must act with intentional disregard for probable consequence of actions)
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes, family members and residents of household

Kansas-Keg Registration	
How is a keg defined (in gallons)?	Equal to or greater than 4.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (\$1000 / 6 months)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Not required

Is a deposit required?	No
Does law cover disposable kegs?	Yes

Kansas-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Sales and Delivery to Consumers at Home

Kansas-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Kansas-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	Yes
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes

Must the label state “Recipient must be 21 years old”?	No
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Kansas-Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

Kansas- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	No
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	N/A N/A N/A
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	N/A N/A N/A N/A
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	N/A N/A N/A
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> <li>• Must receive payment regardless of delivery completion</li> </ul>	N/A N/A N/A



## Alcohol Pricing

Kansas-Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.18
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	8.00%
Retail tax rate (if applicable)	10.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	6.50%
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	3.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	8.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	6.50%
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	1.50%
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<p>Notes: Sales of beer containing not more than 6 percent alcohol by retailers holding a cereal malt beverage (CMB) license are subject only to applicable sales tax (in lieu of the 8% Enforcement Tax). The 10% Liquor Drink Tax is now due on all cereal malt beverages and beer sold by alcoholic liquor licenses.</p>	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.30
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	8.00%
Retail tax rate (if applicable)	10.00%

If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.50%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	3.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	8.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.50%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	1.50%
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.50
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	8.00%
Retail tax rate (if applicable)	10.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.50%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	3.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	8.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.50%

<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	1.50%
Additional taxes for 15 – 50% alcohol spirits if applicable	

Kansas-Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

Kansas-Wholesaler Pricing Restrictions	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Spirits</b>	
Are volume discounts to retailers allowed?	Banned

Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

### Enforcement Policies

Kansas-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
Are there appearance requirements for the decoy?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Kansas-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	\$500 per minor
What is the penalty for the second offense?	\$750 per minor
What is the penalty for the third offense?	\$1000 per minor
What is the penalty for the fourth offense?	\$1000 per minor and suspension of two weekend days (Friday and Saturday)
<p>Notes: Penalties may vary based on aggravating or mitigating circumstances.</p> <ul style="list-style-type: none"> <li>• Offense 5: \$1000 per minor; suspension of 4 weekend days (Friday and Saturday)</li> <li>• Offense 6: \$1000 per minor; suspension of 7 consecutive days (days to be determined by the director)</li> <li>• Offense 7: \$1000 per minor; suspension of 14 consecutive days (days to be determined by the director)</li> <li>• Offense 8: \$1000 per minor; license revocation</li> </ul>	

## Kansas State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Kansas Department of Revenue, Alcoholic Beverage Control Division	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	Kansas Department of Revenue, Alcoholic Beverage Control Division
Such laws are also enforced by local law enforcement agencies	Don't know
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	Yes
Number of minors found in possession <sup>1</sup> by state law enforcement agencies	144
Number pertains to the 12 months ending	06/30/2020
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	Yes
Number of retail licensees in state <sup>3</sup>	6,971
Number of licensees checked for compliance by state agencies (including random checks)	1,098
Number of licensees that failed state compliance checks	333
Numbers pertain to the 12 months ending	06/30/2020
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	Yes
Number of licensees subject to random state compliance checks/decoy operations	737
Number of licensees that failed random state compliance checks	78
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Yes
Number of fines imposed by the state <sup>4</sup>	91
Total amount in fines across all licensees	\$67,150

Smallest fine imposed	\$250
Largest fine imposed	\$3,000
Numbers pertain to the 12 months ending	06/30/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	3
Total days of suspensions across all licensees	4
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	2
Numbers pertain to the 12 months ending	06/30/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	06/30/2020

**Additional Clarification**

Total number of licenses: Increase in number of licenses due to 2019 legislation giving Kansas ABC regulatory authority over cereal malt beverage (CMB) licenses. Total includes on- and off- premise licenses for CMB and liquor.

Party Patrols: We regularly work Party Patrols, especially in college towns, but do not call them by that name. We conduct special operations regularly with the focus being on moving house parties and foot traffic between locations. COVID, like everything else, slowed this activity down in 2020.

Fatality Investigations: We assist with two per year (one in progress now), so it comes down to the definition of “regular”. Our role is a “last call” (for drinks by a licensee) function, where we investigate if there was over service or service to minors involved in the accident.

Number of state compliance checks: Increase due to conducting compliance checks at CMB licenses in addition to liquor licenses.

Number of random compliance checks: Increase due to conducting compliance checks at CMB licenses in addition to liquor licenses.

Fines: Decline in fines collected due to waiving some fines due to COVID.

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Keepin' it REAL**

Number of youth served	218
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	<a href="https://real-prevention.com/keepin-it-real/">https://real-prevention.com/keepin-it-real/</a>

**Program Description:** Keepin' it REAL (kiR) is a scientifically proven effective substance use prevention and social and emotional competency enhancing program designed to focus on the competencies linked to preventing substance use and abuse. Featured as a cost-effective and powerful program by the U.S. Surgeon General in 2016, this program is based on the real stories of young adolescents, and program videos serve by providing social modeling of effective strategies. <https://real-prevention.com/keepin-it-real/>

#### **Power of Parents**

Number of youth served	0
Number of parents served	39
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	<a href="https://www.madd.org/the-solution/power-of-parents">https://www.madd.org/the-solution/power-of-parents</a>

**Program Description:** Mothers Against Drunk Driving's Power of Parents program empowers parents of middle school and high school students to have ongoing, intentional conversations about the dangers and consequences of underage drinking. <https://www.madd.org/the-solution/power-of-parents>

#### **Botvin LifeSkills**

Number of youth served	41
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	<a href="https://www.lifeskillstraining.com/lst-overview/">https://www.lifeskillstraining.com/lst-overview/</a>

**Program Description:** Botvin LifeSkills Training (LST) is a research-validated substance abuse prevention program proven to reduce the risks of alcohol, tobacco, drug abuse, and violence by targeting the major social and psychological factors that promote the initiation of substance use and other risky behaviors. This comprehensive and exciting program provides adolescents and young teens with the confidence and skills necessary to successfully handle challenging situations. <https://www.lifeskillstraining.com/lst-overview/>

#### **Alcohol True Stories**

Number of youth served	60
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	<a href="http://www.wordscanwork.com/products/product.html?prod=002">http://www.wordscanwork.com/products/product.html?prod=002</a>

**Program Description:** Young people tell their powerful stories about drinking and driving, addiction, and avoiding alcohol use (20 minutes long). Recommended for students in grades 5 through 12, parents, and other caregivers. <http://www.wordscanwork.com/products/product.html?prod=002>

#### **Life of an Athlete**

Number of youth served	685
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes

URL for evaluation report: [https://www.riprc.org/wp-content/uploads/gravity\\_forms/1-f47454f1a9c25d90bff4c31a609f9b23/2015/12/LOA-NM-Analysis-2012.pdf](https://www.riprc.org/wp-content/uploads/gravity_forms/1-f47454f1a9c25d90bff4c31a609f9b23/2015/12/LOA-NM-Analysis-2012.pdf)

URL for more program information: [https://www.riprc.org/wp-content/uploads/gravity\\_forms/1-f47454f1a9c25d90bff4c31a609f9b23/2015/12/LOA-NM-Analysis-2012.pdf](https://www.riprc.org/wp-content/uploads/gravity_forms/1-f47454f1a9c25d90bff4c31a609f9b23/2015/12/LOA-NM-Analysis-2012.pdf)

**Program Description:** A complete course for high school students developed in association with the Life of an Athlete Human Performance Project. This entertaining, informative, and interactive course includes practical, beneficial information and guidance about alcohol and other drug use and abuse. Those taking this course are asked, “Are you living the life of an athlete?” <https://lifeofanathlete.com/training/index>

**Project Alert**

Number of youth served	427
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="https://www.rand.org/news/press/2003/10/30b.html">https://www.rand.org/news/press/2003/10/30b.html</a>
URL for more program information:	<a href="https://www.projectalert.com/">https://www.projectalert.com/</a>

**Program Description:** The Project ALERT curriculum was created and tested by the RAND Corporation, a nonprofit, nonpartisan research organization. Developed over a 10-year period, Project ALERT addresses the pro-drug mindset of today’s teens and effectively increases their likelihood to remain drug-free. <https://www.projectalert.com/>

**Project Sticker Shock**

Number of youth served	0
Number of parents served	534
Number of caregivers served	534
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** Project Sticker Shock is designed to reach adults who might purchase alcohol legally and provide it to minors. Stickers warning about the penalties for furnishing alcohol to minors are placed on all multi-packs of beer, alco-pops, and other alcohol products that might appeal to underage drinkers. The impact of the stickers is increased by media coverage of the event and by longer-lasting signs to be displayed by participating retailers. The project represents a partnership between youth, retailers, concerned parents and community members, prevention professionals, and law enforcement with the goal of educating potential furnishers, raising public awareness about underage drinking, and strengthening the deterrent effect of the law against providing alcohol to minors.



**Parent Project**

Number of youth served	5
Number of parents served	6
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	<a href="https://parentproject.com/changing-destructive-adolescent-behavior/">https://parentproject.com/changing-destructive-adolescent-behavior/</a>

**Program Description:** A Parent’s Guide to Changing Destructive Adolescent Behavior (CDAB) is the only parent training program that addresses the MOST destructive of adolescent behaviors. Now in its 15th edition, CDAB has become the program of choice for parents raising difficult or out-of-control teens. The American Bar Association’s Center on Children and the Law named the Parent Project the largest court-mandated juvenile diversion program in the country. With a focus on improving both school attendance and performance, CDAB has become a favorite of middle and high school educators as well. <https://parentproject.com/changing-destructive-adolescent-behavior/>

**It Matters**

Number of youth served	57,421
Number of parents served	28,710
Number of caregivers served	28,710
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	<a href="http://www.itmattersks.org">www.itmattersks.org</a>

**Program Description:** Information dissemination media strategy targeting all ages that addresses retail access of alcohol, social access, social norms, and low perceived risk of harm. Addresses the school and community domains.

**Additional Underage Drinking Prevention Programs Operated or Funded by the State**

No data

**Additional Clarification**

No data

**Additional Information Related to Underage Drinking Prevention Programs**

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: Prairie Band Potawatomi Nation is a federally recognized tribe of Neshnabé in Mayetta, Kansas. They receive federal funding through our agency to address underage drinking.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: “Talk. They Hear You”	Yes
Regional and local media campaigns: It Matters	Yes
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.”</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	Yes
Other:	No

<i>State procures funding for TTHY</i>	No
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): Substance Abuse and Mental Health Services Administration	Yes
Agency(ies) within your state: Kansas Department for Aging and Disability Services	Yes
Nongovernmental agency(ies):	No
Other:	No
<p>Best practice standards description: Evidence-based prevention strategies (programs, practices, and policies) are validated by documented evidence of effectiveness. The Kansas Evidence-Based Strategies Workgroup (EBSW) has adopted the Center for Substance Abuse Prevention’s (CSAP’s)/Substance Abuse Mental Health Services Administration’s (SAMHSA’s) three tiers of criteria for determining if a strategy is evidence-based: Tier 1 – Strategy appears on a national registry of evidence-based strategies                      Tier 2 – Strategy appears in a peer-reviewed publication with positive effects                      Tier 3 – Strategy includes documented effectiveness that is supported by other sources of information and the consensus judgment of informed experts                      (<a href="https://www.hcpcme.org/pubadmin/health/SPEP/CSAP4p56_Guidance_Jan04_2007.pdf">https://www.hcpcme.org/pubadmin/health/SPEP/CSAP4p56_Guidance_Jan04_2007.pdf</a>).</p> <p>The Kansas EBSW recommends communities develop comprehensive prevention plans by using the Strategic Prevention Framework (SPF) as guidance, including all components of this effective process. The SPF includes the overarching factors of Cultural Competence and Sustainability, to be considered within each step and the five steps of the SPF: Assessment, Capacity, Planning, Implementation, and Evaluation. Strategies should be selected and implemented based on community-level needs assessment data and the development of a logic model and action plans.</p> <p>The Evidence-Based Strategies Matrix has been developed to support Kansans through promoting the use of evidence-based strategies to better integrate promotion, prevention, treatment, and recovery services. The matrix is offered to the public with community coalitions in mind as a tool to support planning for effective and comprehensive prevention efforts.</p> <p>Request for Consideration as an Evidence-Based Research Strategy:                      Communities are encouraged to innovate and are welcome to select prevention strategies that may not currently be on a national registry or appear in a peer-reviewed journal, yet have best community-fit and are feasible and sustainable. Communities are welcome to submit a Request for Consideration as an Evidence-Based Strategy that meets the criteria in Tier 3 – “Strategy includes documented effectiveness that is supported by other sources of information and the consensus judgment of informed experts”. In these cases, the community is encouraged to submit information to the Kansas EBSW and or their project funder for consideration of their proposed strategy. Approval is not guaranteed.</p>	
<b>Additional Clarification</b>	
No data	
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<p><i>Committee contact information:</i>                      Name: Stephanie Rhinehart                      Email: <a href="mailto:Stephanie.Rhinehart@ks.gov">Stephanie.Rhinehart@ks.gov</a>                      Address: 503 S Kansas Ave, Topeka, KS 66603                      Phone: 785-368-7429</p>	

*Agencies/organizations represented on the committee:*

Kansas Department for Aging and Disability Services  
 Kansas Prevention Collaborative  
 Governor's Behavioral Health Services Planning Council, Prevention Subcommittee  
 Kansas Department of Revenue  
 Kansas Department of Transportation  
 Kansas Department of Health and Environment

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://kansaspreventioncollaborative.org">http://kansaspreventioncollaborative.org</a>	

**Underage Drinking Reports**

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Kansas Department of Aging and Disability Services and the Governor's Behavioral Health Services Planning Council, Prevention Subcommittee	
Plan can be accessed via: No data	

<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Greenbush, on behalf of the Kansas Department for Aging and Disability Services	
Report can be accessed via: <a href="http://www.kctcdata.org">www.kctcdata.org</a>	

**Additional Clarification**

The Kansas Communities That Care Student Survey has a searchable website showing trends for the state and counties participating in the survey with 30 alcohol-related questions. This data shows the story of what is happening with underage drinking at the state and county levels.

**State Expenditures for the Prevention of Underage Drinking***Compliance checks in retail outlets:*

Estimate of state funds expended	\$18,964
Estimate based on the 12 months ending	06/30/2020

*Checkpoints and saturation patrols:*

Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data

*Community-based programs to prevent underage drinking:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2020

*K-12 school-based programs to prevent underage drinking:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2020

*Programs targeted to institutes of higher learning:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2020

*Programs that target youth in the juvenile justice system:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2020

*Programs that target youth in the child welfare system:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2020

*Other programs:*

Programs or strategies included: No data	
Estimate of state funds expended:	\$0
Estimate based on the 12 months ending:	06/30/2020

**Funds Dedicated to Underage Drinking***State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	No
Fines	No
Fees	No

Other: Federal Funds through SAMHSA

Yes

*Description of funding streams and how they are used:*

SABG funds are utilized to fund Prevention strategies and activities in the community to address underage drinking.

**Additional Clarification**

Compliance check expenditures: Agents' salary expenses for underage compliance checks are not included in this amount as some operations are reimbursed by federal grants and others are not. We have no method of distinguishing between them.



**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD